

Department of Law

Mission

The mission of the Alaska Department of Law is to prosecute crime and provide legal services to state government for the protection and benefit of Alaska's citizens.

Core Services

- Protecting the Safety and Physical and Financial Well-being of Alaskans
- Fostering the Conditions for Economic Opportunity and Responsible Development and Use of Our Natural Resources
- Protecting the Fiscal Integrity of the State
- Promoting and Defending Good Governance

Priority Programs - Key Performance Indicators

(Additional performance information is available on the web at <http://omb.alaska.gov/results.>)


Funding				FY10 Current Capacity (in thousands)		
GF Funds	Federal Funds	Other Funds	Total Funds	Full Time	Part Time	Non Perm
\$56,275.3	\$3,881.3	\$25,201.0	\$85,357.6	553	7	0

Protecting Alaskans

The Department protects Alaskans safety, physical and financial well being by prosecuting criminals, protecting children and enforcing consumer protection laws; providing legal services to state agencies protecting public health; prosecuting occupational license cases and state environmental laws.

Funding				FY10 Current Capacity (in thousands)		
GF Funds	Federal Funds	Other Funds	Total Funds	Full Time	Part Time	Non Perm
\$33,762.5	\$3,782.0	\$10,358.1	\$47,902.6	374	6	0

Key indicator from: Criminal Division

 **Target:** 75% of crimes of sexual abuse of children accepted for felony prosecution that are resolved with a felony conviction (rather than a misdemeanor conviction or dismissal).

Status: 43% of crimes of sexual abuse of children were resolved with a felony conviction, as compared to 41% the previous year.

Percent of Child Sexual Abuse Cases Resolved With a Felony Conviction

Year	YTD Total	Target	Variance
2008	43%	75%	32%
2007	41%	75%	34%
2006	45%	75%	30%
2005	49%	75%	26%

Methodology: Information is by calendar year. Statistics are based on the date the case was received in the prosecutor's office, and the most recent data from which these calculations are meaningful is for cases received in calendar year 2008.

Analysis of results and challenges: The Department of Law strives to achieve felony convictions in cases involving sexual abuse of children, which can result in sentences ranging up to 99 years. The most complex and diverse cases may take many months and will not have been resolved at the time of this report. It is also likely that those cases referred in the final quarter will not have been resolved, impacting annual data. At the end of 2006, 24% of cases were still pending. At the end of 2007, 36% of cases were still pending. At the end of 2008, 37% of cases were still pending.

Key indicator from: Civil Division**Target:** Increase the overall restitution collections by 5% each year.**Status:** In FY 2009, the amount (\$2.7 million) in total restitution collections increased over 35% compared to the amount collected in FY 2008.**Increase in Collections**

Fiscal Year	YTD Total	Target	Variance
FY 2009	2,734,043	2,134,151	35% Increase
FY 2008	2,032,525	2,363,767	4.9% Decrease
FY 2007	2,251,207	647,207	41.6% Increase
FY 2006	1,554,055	1,604,000	1.5% Decrease
FY 2005	1,580,055	Baseline	0

Methodology: Variances from year to year are primarily the result of the size of the Permanent Fund Dividend (PFD) because the PFD is the primary source of funds.

Analysis of results and challenges: In FY 2009, the amount (\$2.7 million) in total restitution collections increased over 35% compared to the amount collected in FY 2008 and has increased 73% in the last five years.

Key indicator from: Civil Division**Target:** 5% increase in investigations and prosecutions.**Status:** The number of consumer protection investigations and prosecutions increased 41% in FY 2009 over the prior fiscal year, resulting in civil penalties, attorney's fees and costs in the amount of \$2.3 million.**Effective Enforcement**

Year	Investigations	Prosecutions	YTD Total	Target
2009	59	30	89	27
2008	37	10	47	40
2007	39	28	67	40
2006	25	12	37	38
2005	26	10	36	Baseline

Analysis of results and challenges: The Consumer Protection (CP) unit was able to substantially increase the number of investigations and prosecutions in FY 2009. This increase may be attributed in part to more efficient use of attorney time and to capturing additional litigation assistant time to assist in CP investigation and enforcement.


Key indicator from: Criminal Division**Target:** 25% of violent felony crimes accepted for prosecution are resolved with a felony conviction that has not been reduced to a lower level felony or dismissed.**Status:** 11% of violent felony crimes accepted for prosecution were resolved with a conviction that was not reduced to a lower level felony, remaining unchanged from the previous year.**Unreduced Felony Convictions**

Year	YTD Total	Target	Variance
2008	11%	25%	14%
2007	11%	25%	14%
2006	14%	25%	11%
2005	15%	25%	10%

Methodology: Information is by calendar year. Statistics are based on the date the case was received in the prosecutor's office, and the most recent data from which these calculations are meaningful is for cases received in calendar year 2008.

Analysis of results and challenges: At the end of each calendar year there are cases that are still pending. For the calendar years 2005, 2006, 2007 and 2008, the percent of cases that were still pending were 15.8%, 17.5%, 19.1% and 6.4%, respectively.

Key indicator from: Criminal Division

 **Target:** Increase training on general victim-related issues, such as victim sensitivity, so that all paralegal assistants who have regular direct contact with victims attend one multi-day training course each year.

Status: The number of paralegal assistants who have been provided yearly training in general victim-related issues grew to 33 in FY 2009, an increase of 3 over the prior year and continuing a positive trend.

Paralegal Training in General Victim Issues

Year	YTD Total
2008	33
2007	30
2006	26
2005	23
2004	14


Analysis of results and challenges: The number of paralegal assistants who have been provided yearly training in general victim-related issues grew to 33 in FY 2009, an increase of 10% over the prior year and 43% since 2005.

Economic Opportunity and Resource Development

The Department fosters the conditions for economic opportunity and responsible development of the State's natural resources.

Funding				FY10 Current Capacity (in thousands)		
GF Funds	Federal Funds	Other Funds	Total Funds	Full Time	Part Time	Non Perm
\$3,807.1	\$33.1	\$3,398.0	\$7,238.2	43	0	0


Key indicator from: Civil Division

 **Target:** Increase state revenue from mineral resource development by 20% (adjusted for changes in oil and gas prices) over current baseline projections, over the next ten years.

Status: The Department successfully defended the permits for the operation of the Kensington Mine before the U.S. Supreme Court, preserving hundreds of jobs.

Analysis of results and challenges: The Department successfully defended the permits for the operation of the Kensington Mine before the U.S. Supreme Court, preserving hundreds of jobs.

Key indicator from: Civil Division

 **Target:** Increased % of lawsuits the State participated in advocating the State's interest in mineral development permitting decisions.

Status: The State participated in 100% of cases involving mineral development and exploration permitting decisions in 2009, compared to participation only on the Kensington Mine and Cook Inlet coal prospect cases in the previous year.

Analysis of results and challenges: The State participated in 100% of cases involving mineral development and exploration permitting decisions in 2009, compared to participation only on the Kensington Mine and Cook Inlet coal prospect cases in the previous year.


State Fiscal Protection

The Department protects the fiscal integrity of the State by ensuring payments of taxes and royalties, recovering monies owed to the state, protecting the State's investments and defending against monetary claims filed against the state.

FY10 Current Capacity (in thousands)


Funding				Positions		
GF Funds	Federal Funds	Other Funds	Total Funds	Full Time	Part Time	Non Perm
\$14,835.4	\$33.1	\$7,221.6	\$22,090.1	90	1	0

Key indicator from: Civil Division

-  **Target:** Achieve non-discriminatory TransAlaska Pipeline System (TAPS) tariff.
Status: The State prevailed at the Federal Energy Regulatory Commission hearing on the TAPS tariff. The case is presently on appeal before the U.S. Court of Appeals for the D.C. Circuit.

Analysis of results and challenges: The State prevailed at the Federal Energy Regulatory Commission hearing on the TAPS tariff. The case is presently on appeal before the U.S. Court of Appeals for the D.C. Circuit.

Key indicator from: Civil Division

-  **Target:** Increased revenues by pursuing collection of tax and royalty obligations to the state.
Status: Settlements and awards from cases related to oil and gas taxes and royalties generated \$530.0 million for the State.

Analysis of results and challenges: \$530.0 million in Settlements and awards from cases related to oil and gas taxes and royalties were generated for the State.


Governance

The department promotes and defends good governance including indian law, ethics law, elections law, public records and legislation.

FY10 Current Capacity (in thousands)

Funding				Positions		
GF Funds	Federal Funds	Other Funds	Total Funds	Full Time	Part Time	Non Perm
\$3,870.3	\$33.1	\$4,223.3	\$8,126.7	46	0	0

Key indicator from: Civil Division


-  **Target:** Train 3 agencies in ethics per year.
Status: The ethics attorney conducted nine ethics trainings in FY 2009 compared to none in FY 2008, and six in FY 2007.

Increased Ethics Training

Fiscal Year	YTD Total	Target
FY 2009	9	3
FY 2008	0	3
FY 2007	6	3
FY 2006	1	3

Analysis of results and challenges: The ethics attorney conducted nine ethics trainings in FY 2009 and is averaging four per year over the last four years.

Key indicator from: Civil Division

-  **Target:** No successful challenges to initiative opinions issued to the Lieutenant Governor's office.
Status: None of the ballot initiatives certified by the Lieutenant Governor on

recommendation of the Department of Law were challenged in FY 2009. In FY 2008, the State faced three challenges to ballot initiatives certified on recommendation of the Department, and defeated each challenge.

Analysis of results and challenges: In FY 2009, none of the ballot initiatives certified by the Lieutenant Governor on recommendation of the Department of Law were challenged. In FY 2008, the State faced three challenges to ballot initiatives certified on recommendation of the Department, and defeated each challenge.

Administration and Support Results Delivery Unit

Mission

The mission of Administration and Support is to provide leadership, support, and oversight of department operations in the furtherance of the Department's mission to provide legal services to state agencies, to ensure that civil and criminal laws of the state are followed, to defend the state in legal actions, and to implement the Executive Branch Ethics Act.

Core Services

- Protecting the Safety and Physical and Financial Well-being of Alaskans.
- Fostering the Conditions for Economic Opportunity and Responsible Development and Use of Our Natural Resources.
- Protecting the Fiscal Integrity of the State.
- Promoting and Defending Good Governance.

End Result	Strategies to Achieve End Result
<p>A: Improve the Delivery of Services that Facilitate the Department's Mission</p> <p><u>Target #1:</u> 80% of those responding to a survey rate the quality of service 4 or higher on a scale of 1-5.</p> <p><u>Status #1:</u> A survey is under development and this information should be available in FY 2010.</p>	<p>A1: Reduce process times, cycle times, close skill gaps</p> <p><u>Target #1:</u> Respond to all help desk calls the same day the call is received.</p> <p><u>Status #1:</u> The department has deployed software that will track help desk calls placed in FY 2010.</p> <p><u>Target #2:</u> Deliver budget scenarios to the Office of Management and Budget (OMB) on or before the due date.</p> <p><u>Status #2:</u> The Department has delivered requested budget scenarios to the Office of Management and Budget on or before the due date.</p> <p><u>Target #3:</u> Process all uncontested travel reimbursement requests from employees within 14 days of receipt.</p> <p><u>Status #3:</u> 98.7 % of travel reimbursements were processed within 14 days of receipt.</p> <p><u>Target #4:</u> Bill for legal services monthly.</p> <p><u>Status #4:</u> The department billed legal services invoices in accordance with our procedures.</p> <p><u>Target #5:</u> Zero procurement violations.</p> <p><u>Status #5:</u> No procurement violations have been committed in the current fiscal year.</p> <p>A2: Improve compliance with all federal and state requirements.</p> <p><u>Target #1:</u> No over-expenditure of budget.</p> <p><u>Status #1:</u> The department had no over-expenditures of budget in FY 2009.</p>

	Target #2: Zero audit exceptions. Status #2: The department did not have an audit exception in FY 2009.
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Performance Detail

A: Result - Improve the Delivery of Services that Facilitate the Department's Mission

Target #1: 80% of those responding to a survey rate the quality of service 4 or higher on a scale of 1-5.

Status #1: A survey is under development and this information should be available in FY 2010.

Analysis of results and challenges: In FY 2009, no surveys rating the quality of service were completed, however a survey is under development and this information should be available in FY 2010.

A1: Strategy - Reduce process times, cycle times, close skill gaps

Target #1: Respond to all help desk calls the same day the call is received.

Status #1: The department has deployed software that will track help desk calls placed in FY 2010.

Analysis of results and challenges: In FY 2009, help desk calls were not tracked. However, the department has deployed software that will track this information in FY 2010.

Target #2: Deliver budget scenarios to the Office of Management and Budget (OMB) on or before the due date.

Status #2: The Department has delivered requested budget scenarios to the Office of Management and Budget on or before the due date.

Analysis of results and challenges: The Department has delivered requested budget scenarios to the Office of Management and Budget on or before the due date.

Target #3: Process all uncontested travel reimbursement requests from employees within 14 days of receipt.

Status #3: 98.7 % of travel reimbursements were processed within 14 days of receipt.

Target #4: Bill for legal services monthly.

Status #4: The department billed legal services invoices in accordance with our procedures.

Analysis of results and challenges: Currently the Division of Administrative Services has 12 billing cycles. July and August are consolidated into a single bill so that we can focus our attention during the reappropriation period on closing out the prior year. There is a final bill in August of each year that allows us to collect any final direct case costs that are paid after the June bill is finalized and sent out.

Target #5: Zero procurement violations.

Status #5: No procurement violations have been committed in the current fiscal year.

Analysis of results and challenges: No procurement violations have been committed in the current fiscal year.

A2: Strategy - Improve compliance with all federal and state requirements.

Target #1: No over-expenditure of budget.

Status #1: The department had no over-expenditures of budget in FY 2009.

Analysis of results and challenges: The department had no over-expenditures of budget in FY 2009.

Target #2: Zero audit exceptions.

Status #2: The department did not have an audit exception in FY 2009.

Analysis of results and challenges: The department did not have an audit exception in FY 2009.

Civil Division Results Delivery Unit

Mission

The mission of the Civil Division is to protect the human, financial and natural resources of the state.

Core Services

- Protecting the Safety and Physical and Financial Well-being of Alaskans.
- Fostering the Conditions for Economic Opportunity and Responsible Development and Use of Our Natural Resources.
- Protecting the Fiscal Integrity of the State.
- Promoting and Defending Good Governance.

End Result	Strategies to Achieve End Result
A: Improve Client-Agency Decision Making <u>Target #1:</u> 5% reduction per year in legal challenges to final agency decisions in which the state does not prevail. <u>Status #1:</u> Of the 70 FY2009 challenges, 8 (11%) were reversed, compared to 6 challenges in FY 2008.	A1: Provide thorough review of all initiative Opinions issued by the Lieutenant Governor's office. <u>Target #1:</u> No successful challenges to initiative opinions issued to the Lieutenant Governor's office. <u>Status #1:</u> None of the ballot initiatives certified by the Lieutenant Governor on recommendation of the Department of Law were challenged in FY 2009. In FY 2008, the State faced three challenges to ballot initiatives certified on recommendation of the Department, and defeated each challenge. A2: Increase agency training <u>Target #1:</u> Provide one training per agency per year. <u>Status #1:</u> The Department provided various trainings 34 times to agencies throughout the year. A3: Implement review of existing agency regulations to ensure clarity and statutory consistency <u>Target #1:</u> 2 reviews per year. <u>Status #1:</u> The Department exceeded their target for reviewing agency regulations for clarity and statutory consistency again in FY 2009. A4: Reduce time for legal reviews of agency approved regulations <u>Target #1:</u> 100% on-time response. <u>Status #1:</u> The Department performed legal reviews of agency approved regulations delivered within the mutually agreed upon timelines 98% of the time. A5: Increase public awareness of agency regulation adoption process <u>Target #1:</u> Hold 1 informational meeting for the public

	<p>per year.</p> <p><u>Status #1:</u> The Department frequently provides information on the agency regulations adoption process to state agencies, state boards and commissions, legislative committees as well as the general public.</p> <p>A6: Enhance compliance with state ethics laws</p> <p><u>Target #1:</u> Train 3 agencies in ethics per year.</p> <p><u>Status #1:</u> The ethics attorney conducted nine ethics trainings in FY 2009 compared to none in FY 2008, and six in FY 2007.</p> <p><u>Target #2:</u> Achieve a 5% increase in informal advice to agencies on ethics.</p> <p><u>Status #2:</u> With the recent passage of ethics legislation, we have been asked about various ethics issues with respect to post-state employment and conflicts of interest. 100% of the responses were delivered within mutually agreed timeframes.</p>
End Result	Strategies to Achieve End Result
<p>B: Enhance the Welfare of Children</p> <p><u>Target #1:</u> Increase the percentage of cases in which a permanent legal resolution is obtained for children in the custody of the Department of Health and Social Services, Office of Children's Services (OCS).</p> <p><u>Status #1:</u> Full implementation of the division's new case management system, anticipated by the end of CY2011, should enable tracking of the percentage of permanent legal resolution cases obtained for children in the custody of the Department of Health and Social Services.</p> <p><u>Target #2:</u> Increase the percentage of Child in Need of Aid cases that are eligible for federal reimbursement.</p> <p><u>Status #2:</u> The Department has consistently been achieving their goal of maximizing the Title IV E of the Social Security Act funding available.</p> <p><u>Target #3:</u> Increase the percentage of child support cases successfully resolved.</p> <p><u>Status #3:</u> In FY 2009, over 1,600 support cases were opened and over 1,600 were closed. In FY 2008, we opened 1,600 cases closing 1,500.</p>	<p>B1: Increase the number of Petitions for Termination of Parental Rights or Petitions for Guardianship when a child has been in the custody of the department for 15 of the most recent 22 months when adoption or guardianship is the plan for the child</p> <p><u>Target #1:</u> Two training sessions per year for Attorney General Office (AGO) staff and Office of Children's Services (OCS) staff.</p> <p><u>Status #1:</u> New attorneys coming to the section receive training on the requirements of timely filing. OCS has received formal training on the timeliness of filings during their SKILS training. The Child Protection Section Chief or another senior attorney conducts a legal training which includes this topic for incoming social workers approximately every 6 weeks.</p> <p><u>Target #2:</u> File Petitions for Termination of Parental Rights within the timeframe mandated by statute in the cases in which the filing of such petitions is statutorily required.</p> <p><u>Status #2:</u> The information related to the filing of petitions for Termination of Parental Rights within statutorily mandated timeframes is not currently available. It is hoped that our new case management system, ProLaw, will produce this kind of information.</p> <p>B2: Increase the number of child support orders that comply with state child support guidelines</p> <p><u>Target #1:</u> Take action in 90% of child support modification files within 30 days of receipt of file from CSSD.</p> <p><u>Status #1:</u> Based on the information we have, the % of</p>

	<p>modification files in which action was taken within 30 days decreased by 1%.</p> <p>B3: Improve administrative decision-making at the administrative review and formal hearing level</p> <p><u>Target #1:</u> Complete one training session per year for establishment and modification personnel at the Child Service's Support Division (CSSD).</p> <p><u>Status #1:</u> While formal training sessions weren't conducted for establishment and modification personnel at the Child Services Support Division in FY 2009, each assistant attorney general provided informal training to caseworkers and supervisors on specific issues that arose in individual cases.</p> <p><u>Target #2:</u> Provide monthly report to the Child Support Services Division summarizing Supreme Court decisions relating to child support and recommending changes to CSSD regulations, policies, or procedures as a result of those decisions.</p> <p><u>Status #2:</u> In FY 2009 the Collections and Support Section provided the Department of Revenue's Child Services Support Division (CSSD) with 5 reports summarizing Supreme Court decisions related to child support and recommending changes to CSSD regulations, policies, or procedures as a result of those decisions.</p> <p>B4: Increase the use of civil enforcement remedies in cases where routine administrative collection actions have failed</p> <p><u>Target #1:</u> Increase the number of cases accepted for complex civil enforcement action including civil contempt, fraudulent transfers, piercing the corporate veil, seek work orders, or license enforcement by 2% per year.</p> <p><u>Status #1:</u> Child Support Services Division referred 15 cases to the Department for review for complex civil enforcement remedies in FY 2009. In FY 2008, 11 cases were referred.</p> <p>B5: Increase in number of cases in which appropriate judicial findings are contained in the initial court order and in permanency orders in Child-in-Need of Aid cases</p> <p><u>Target #1:</u> 100% of deficient court orders are remedied within 30 days of notification by the Department of Health and Social Services (DHSS).</p> <p><u>Status #1:</u> The Section Chief keeps track of deficient court orders and believes that 100% of deficient court orders were remedied within 30 days of notification by the Department of Health and Social Services.</p>
End Result	Strategies to Achieve End Result
C: Enhance the Protection of Victims of Crimes and	C1: Increase collection of restitution on behalf of

<p>Delinquent Acts</p> <p><u>Target #1:</u> Reduction in complaints from victims of crimes and delinquent acts submitted to the Office of Victims Rights, the Attorney General's Office, the State Ombudsman, or the Office of the Governor.</p> <p><u>Status #1:</u> In FY 2009, the Department had 1 complaint forwarded from the Office of Victims Rights, the Attorney General's Office, the State Ombudsman, or the Office of the Governor. The complaint was resolved by explaining procedure and providing additional case related information.</p>	<p>victims</p> <p><u>Target #1:</u> Increase the overall restitution collections by 5% each year.</p> <p><u>Status #1:</u> In FY 2009, the amount (\$2.7 million) in total restitution collections increased over 35% compared to the amount collected in FY 2008.</p> <p><u>Target #2:</u> Increase by 10% the use of civil enforcement remedies in cases where permanent fund dividend attachments have failed.</p> <p><u>Status #2:</u> Data tracking the use of civil enforcement remedies in cases where permanent fund dividend attachments have failed is not yet available but the Department anticipates its new case management system, ProLaw, will provide this information when fully implemented, by the end of CY2011.</p>
End Result	Strategies to Achieve End Result
<p>D: Enhance Consumer Protection in Alaska</p> <p><u>Target #1:</u> Increase effective consumer protection enforcement through successful resolution of consumer complaints, enforcement actions and consumer education.</p> <p><u>Status #1:</u> The consumer protection unit met its target strategies for enhancing consumer protection for FY 2009.</p>	<p>D1: Increase consumer education</p> <p><u>Target #1:</u> Complete at least 4 consumer education initiatives per year.</p> <p><u>Status #1:</u> 4 consumer education initiatives were completed in FY 2009.</p> <p>D2: Develop stronger consumer protection laws and regulations</p> <p><u>Target #1:</u> Propose two consumer protection or antitrust legislative initiatives or regulations per year.</p> <p><u>Status #1:</u> The Consumer Protection (CP) unit proposed 5 legislative initiatives relating to consumer protection and antitrust matters.</p> <p>D3: Effective enforcement</p> <p><u>Target #1:</u> 5% increase in investigations and prosecutions.</p> <p><u>Status #1:</u> The number of consumer protection investigations and prosecutions increased 41% in FY 2009 over the prior fiscal year, resulting in civil penalties, attorney's fees and costs in the amount of \$2.3 million.</p> <p>D4: Effective antitrust enforcement</p> <p><u>Target #1:</u> Participate in multistate antitrust matters and investigate local matters implicating antitrust issues.</p> <p><u>Status #1:</u> In FY 2009, the state investigated 3 local matters involving antitrust issues.</p> <p>D5: Effective implementation of registration laws</p> <p><u>Target #1:</u> 100% of annual registration applications processed within one year.</p> <p><u>Status #1:</u> In FY 2009, all charitable organization, paid solicitor, telephonic solicitation and business opportunity</p>

	<p>registrations were reviewed in a timely matter.</p> <p>D6: Effective consumer complaint resolution</p> <p><u>Target #1:</u> Increase % of consumer complaints resolved through the informal complaint process.</p> <p><u>Status #1:</u> There was a substantial increase in the number of complaints received and a substantial increase in the number resolved through the informal complaint process.</p>
End Result	Strategies to Achieve End Result
<p>E: Improve Regulatory Advocacy On Behalf Of The Public</p> <p><u>Target #1:</u> 70% success rate in representing the public interest before the Regulatory Commission of Alaska (RCA).</p> <p><u>Status #1:</u> The Department has experienced an 86% success rate in representing the public interest before the RCA. In FY 2009, the approximate value to ratepayers of quantifiable instances of advocacy by the Public advocate is \$4.0 million.</p>	<p>E1: Enhance operational expertise</p> <p><u>Target #1:</u> Provide one training opportunity a year for Assistant Attorneys General (AAG) and Regulatory Affairs and Public Advocacy (RAPA) analyst staff.</p> <p><u>Status #1:</u> In FY 2009, the training target was achieved for Assistant Attorneys General and Regulatory Affairs and Public Advocacy analyst staff.</p> <p>E2: Enhance public awareness of public advocacy role</p> <p><u>Target #1:</u> Publish Public Advocate Advisories for cases significantly affecting the public interest.</p> <p><u>Status #1:</u> Two Advisories were issued in FY 2009 by Regulatory Affairs and Public Advocacy (RAPA), successfully meeting the target.</p>
End Result	Strategies to Achieve End Result
<p>F: Enhance State Revenue From Mineral Resources</p> <p><u>Target #1:</u> Protect the State's rights when infringed upon by the Federal Government.</p> <p><u>Status #1:</u> The Department provided legal advice and engaged in litigation on behalf of the State against the federal government as it relates to the Endangered Species Act matters that affect development of mineral resources.</p> <p><u>Target #2:</u> Increase state revenue from mineral resource development by 20% (adjusted for changes in oil and gas prices) over current baseline projections, over the next ten years.</p> <p><u>Status #2:</u> The Department successfully defended the permits for the operation of the Kensington Mine before the U.S. Supreme Court, preserving hundreds of jobs.</p>	<p>F1: Participate in lawsuits that may restrict the use of Alaska resources</p> <p><u>Target #1:</u> Increased % of lawsuits the State participated in advocating the State's interest in mineral development permitting decisions.</p> <p><u>Status #1:</u> The State participated in 100% of cases involving mineral development and exploration permitting decisions in 2009, compared to participation only on the Kensington Mine and Cook Inlet coal prospect cases in the previous year.</p> <p>F2: Maximize Tax and Royalty Claims</p> <p><u>Target #1:</u> Increased revenues by pursuing collection of tax and royalty obligations to the state.</p> <p><u>Status #1:</u> Settlements and awards from cases related to oil and gas taxes and royalties generated \$530.0 million for the State.</p> <p>F3: Assist state agencies in achieving a project to market Alaska's North Slope Gas</p> <p><u>Target #1:</u> Within six years have a transportation system</p>

	<p>completed to carry North Slope gas to market.</p> <p><u>Status #1:</u> The Alaska Gasline Inducement Act (AGIA) license received approval for issuance to TransCanada Alaska. The TransCanada project schedule anticipates conducting an open season by 2010 and shipping initial gas in the pipeline by 2017. A competing project, the Denali project, appears to be gearing up for permit approvals. The Denali project anticipates conducting an open season in 2010 and shipping initial gas by 2017.</p> <p>F4: Defend non-discriminatory inter-state TAPS tariff</p> <p><u>Target #1:</u> Achieve non-discriminatory TransAlaska Pipeline System (TAPS) tariff.</p> <p><u>Status #1:</u> The State prevailed at the Federal Energy Regulatory Commission hearing on the TAPS tariff. The case is presently on appeal before the U.S. Court of Appeals for the D.C. Circuit.</p>
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Performance Detail

A: Result - Improve Client-Agency Decision Making

Target #1: 5% reduction per year in legal challenges to final agency decisions in which the state does not prevail.

Status #1: Of the 70 FY2009 challenges, 8 (11%) were reversed, compared to 6 challenges in FY 2008.

Appeals in Which the State Did Not Prevail

Year	YTD Total
2009	8
2008	6
2007	8

Analysis of results and challenges: Collections and Support handled 6 administrative appeals for CSSD in FY09. CSSD was successful in all the appeals; the court either upheld the decision, dismissed the appeal, or the agency and parents settled the appeal.

The Commercial and Fair Business Section handled approximately 19 legal challenges to final agency decisions during FY 2008, 6 of which are still awaiting decision. Of the cases decided in FY 2009, there were 2 reversals of final agency decision and 9 cases where the state prevailed.

The Environmental Section obtained rulings on 2 challenges to final agency decisions and the state prevailed in both.

The Labor and State Affairs Section successfully won 18 out of 35 appeals from administrative decisions. Of the remaining 17 there were 5 losses and 12 appeals that were settled.

The Natural Resource Section had 26 new or on-going challenges to agency decisions. The state prevailed in 13, lost 1, and the remainder are not yet decided.

The Oil, Gas, & Mining section successfully defended the Department of Revenue's 2009 TAPS property tax valuation methodology before the State Assessment Review Board.

A1: Strategy - Provide thorough review of all initiative Opinions issued by the Lieutenant Governor's office.

Target #1: No successful challenges to initiative opinions issued to the Lieutenant Governor's office.

Status #1: None of the ballot initiatives certified by the Lieutenant Governor on recommendation of the Department of Law were challenged in FY 2009. In FY 2008, the State faced three challenges to ballot initiatives certified on recommendation of the Department, and defeated each challenge.

Analysis of results and challenges: In FY 2009, none of the ballot initiatives certified by the Lieutenant Governor on recommendation of the Department of Law were challenged. In FY 2008, the State faced three challenges to ballot initiatives certified on recommendation of the Department, and defeated each challenge.

A2: Strategy - Increase agency training

Target #1: Provide one training per agency per year.

Status #1: The Department provided various trainings 34 times to agencies throughout the year.

Fiscal Year	YTD Total
FY 2009	45
FY 2008	30
FY 2007	24
FY 2006	15

Methodology: Does not include Court System, University, Railroad, or Legislature

Analysis of results and challenges: The Commercial and Fair Business Section conducted 12 separate training sessions for state agencies and various professional licensing boards and commissions including training for the: State Medical Board, Real Estate Commission, Architects, Engineers, and Land Surveyors' Board, Alaska Division of Insurance, Regulatory Commission of Alaska, and Alaska Housing Finance Corporation.

The Environmental section conducted 2 formal trainings, one each to the Department of Environmental Conservation and the Department of Natural Resources.

The Labor and State Affairs Section conducted 1 formal training session for the Division of Retirement and Benefits personnel and one formal training session for the Division of Personnel.

The Legislation and Regulations Section conducted a new ethics class for assistant attorneys general on time management in regulations projects.

The Natural Resource Section attorneys conducted 7 formal training sessions for agency personnel.

The Oil, Gas, & Mining Section conducted a formal training for Department of Revenue employees on public records requests and associated confidentiality concerns.

The Opinions, Appeals, and Ethics Section conducted 9 formal agency trainings.

The Torts and Workers Compensation Section conducted 7 formal agency trainings, and made a presentation to the Alaska Court System clerks.

The Transportation Section conducted 5 formal trainings to the Department of Transportation and Public Facilities.

A3: Strategy - Implement review of existing agency regulations to ensure clarity and statutory consistency

Target #1: 2 reviews per year.

Status #1: The Department exceeded their target for reviewing agency regulations for clarity and statutory consistency again in FY 2009.

Regulation Review

Fiscal Year	YTD Total	Target	Variance
FY 2009	21	2	19
FY 2008	43	2	41
FY 2007	41	2	39
FY 2006	5	2	3

Analysis of results and challenges: Collections and Support conducted 1 review of CSSD regulations to ensure conformance with federal law.

The Environmental section conducted 3 reviews of existing regulations for clarity and consistency with statutory authority.

The Labor and State Affairs Section conducted three reviews of regulations: (1) facility rate setting regulations; (2) retirement and benefits regulations; and (3) Alaska Energy Authority regulations.

The Legislation and Regulations Section reviews existing agency regulations for clarity and statutory consistency in conjunction with each regulation project completed.

The Oil, Gas, & Mining Section assisted the Department of Natural Resources in adoption and implementation of gas pipeline regulations under AS 43.90.

The Natural Resource Section conducted 9 reviews of existing regulations for clarity and consistency.

The Transportation Section conducted 4 reviews in FY 2009.

A4: Strategy - Reduce time for legal reviews of agency approved regulations

Target #1: 100% on-time response.

Status #1: The Department performed legal reviews of agency approved regulations delivered within the mutually agreed upon timelines 98% of the time.

Regulation Review On Time

Fiscal Year	YTD Total	Target	Variance
FY 2008	98%	100%	2%
FY 2007	97%	100%	3%
FY 2006	95%	100%	5%

Analysis of results and challenges: The Commercial and Fair Business Section completed the legal review of 44 regulation projects for various state agencies and professional licensing boards and commissions. All projects were completed with established timeframes, except for one project. That project was stale when the department received it from the agency and had to be renoticed.

All 10 of the Environmental section regulations projects were completed within established timelines.

20 Natural Resource Section regulation projects were completed within established timelines; 3 were slightly late but still took effect in a timely manner.

A5: Strategy - Increase public awareness of agency regulation adoption process

Target #1: Hold 1 informational meeting for the public per year.

Status #1: The Department frequently provides information on the agency regulations adoption process to state agencies, state boards and commissions, legislative committees as well as the general public.

Analysis of results and challenges: The Environmental section held numerous informational meetings with the State of Alaska

public interested in coastal zone management about agency regulation adoption processes. A member of the section also gave an environmental law presentation to an Alaska Pacific University class that included a discussion of the agency regulation adoption process and negotiated rule-making.

The Legislation and Regulations Section frequently provides information on the agency regulations adoption process to state agencies, state boards and commissions, legislative committees as well as the general public.

A6: Strategy - Enhance compliance with state ethics laws

Target #1: Train 3 agencies in ethics per year.

Status #1: The ethics attorney conducted nine ethics trainings in FY 2009 compared to none in FY 2008, and six in FY 2007.

Increased Ethics Training

Fiscal Year	YTD Total	Target
FY 2009	9	3
FY 2008	0	3
FY 2007	6	3
FY 2006	1	3

Analysis of results and challenges: The ethics attorney conducted nine ethics trainings in FY 2009 and is averaging four per year over the last four years.

Target #2: Achieve a 5% increase in informal advice to agencies on ethics.

Status #2: With the recent passage of ethics legislation, we have been asked about various ethics issues with respect to post-state employment and conflicts of interest. 100% of the responses were delivered within mutually agreed timeframes.

Analysis of results and challenges: With the recent passage of ethics legislation, we have been asked about various ethics issues with respect to post-state employment and conflicts of interest. 100% of the responses were delivered within mutually agreed timeframes.

B: Result - Enhance the Welfare of Children

Target #1: Increase the percentage of cases in which a permanent legal resolution is obtained for children in the custody of the Department of Health and Social Services, Office of Children's Services (OCS).

Status #1: Full implementation of the division's new case management system, anticipated by the end of CY2011, should enable tracking of the percentage of permanent legal resolution cases obtained for children in the custody of the Department of Health and Social Services.

Analysis of results and challenges: The Department of Law has a role in increasing the number of cases in which a permanent legal resolution is obtained for children in state custody by moving forward with termination and guardianship petitions once that specific goal has been identified by the client agency. While OCS is able to provide statistics on the percentages of children achieving permanency, there is no database or mechanism in place that tracks when a permanency goal is changed versus when that permanency goal was achieved. Therefore, it is difficult to quantify improvement or lack thereof in this area at this time. However, it is hoped that our new case management system, ProLaw, will produce this kind of information. On a general practice level, our office will continue to strive to file timely motions once the permanency goal of adoption or guardianship has been identified.

Target #2: Increase the percentage of Child in Need of Aid cases that are eligible for federal reimbursement.

Status #2: The Department has consistently been achieving their goal of maximizing the Title IV E of the Social Security Act funding available.

Analysis of results and challenges: The Department of Law has a role in increasing the number of children in foster care who are eligible for federal aid by obtaining specific judicial findings at various points in the case. At the very first hearing, attorneys must obtain a finding that it is "contrary to the welfare of the child to remain in the home". Failure to

obtain such a finding will keep the Office of Children's Services (OCS) from ever receiving federal foster care reimbursement for that child through Title IV E of the Social Security Act. Over the last few years our section has consistently been meeting this goal.

In addition, our section has implemented the use of form orders that are completed and submitted simultaneously with certain hearings. The use of these form orders has improved the timeliness with which initial and permanency orders are submitted to the court for signature. Use of the form orders is now statewide with the exception of Fairbanks. Form orders for other hearings such as adjudication and disposition have been created and are in the review process.

Our section continues to improve when it comes to obtaining a finding that "reasonable efforts have been made to achieve the permanent plan for the child" within 12 months after the child enters foster care and every 12 months thereafter. This is a topic of discussion at collaborative agency meetings. With the court, Office of Public Advocacy, OCS and the Department of Law working together, efforts were made over the past two years to schedule these necessary hearings at 10 months instead of 12, increasing the number of cases in compliance and assuring the cases could be counted in a federal audit. Our efforts were successful. One result of the Federal Child and Family Services Review is a finding that permanency hearings are being held on a timely manner.

Target #3: Increase the percentage of child support cases successfully resolved.

Status #3: In FY 2009, over 1,600 support cases were opened and over 1,600 were closed. In FY 2008, we opened 1,600 cases closing 1,500.

Analysis of results and challenges: In FY 2009, over 1,600 support cases were opened and over 1,600 were closed. In FY 2008, we opened 1,600 cases closing 1,500.

B1: Strategy - Increase the number of Petitions for Termination of Parental Rights or Petitions for Guardianship when a child has been in the custody of the department for 15 of the most recent 22 months when adoption or guardianship is the plan for the child
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Target #1: Two training sessions per year for Attorney General Office (AGO) staff and Office of Children's Services (OCS) staff.

Status #1: New attorneys coming to the section receive training on the requirements of timely filing. OCS has received formal training on the timeliness of filings during their SKILS training. The Child Protection Section Chief or another senior attorney conducts a legal training which includes this topic for incoming social workers approximately every 6 weeks.

Analysis of results and challenges: The AGO has not provided formal trainings on Termination of Parental Rights or Petitions for Guardianship when a child has been in the custody of the department for 15 of the most recent 22 months when adoption or guardianship is the plan for the child in the last fiscal year. However, new attorneys coming to the section receive training on the requirements of timely filing. OCS has received formal training on the timeliness of filings during their SKILS training. The Child Protection Section Chief or another senior attorney conducts a legal training which includes this topic for incoming social workers approximately every 6 weeks.

Target #2: File Petitions for Termination of Parental Rights within the timeframe mandated by statute in the cases in which the filing of such petitions is statutorily required.

Status #2: The information related to the filing of petitions for Termination of Parental Rights within statutorily mandated timeframes is not currently available. It is hoped that our new case management system, ProLaw, will produce this kind of information.

Analysis of results and challenges: This information is not readily available. It is hoped that our new case management system, ProLaw, will produce this kind of information. However, in both internal and agency partner meetings, specific attention has been given to the issue of timely filing. The court generally inquires when a petition for termination or guardianship might be filed if the 15 month mark is approaching. The filing of timely termination petitions was identified as an area needing improvement in the Fall 2008 Federal Child and Family Services Review. Of concern was the current process and coordination between us and the client agency as it was determined a petition needed to be filed. In some parts of the state, the review found the process cumbersome and confusing. As a result, in collaboration with the client agency and community stakeholders and partners, we will be reevaluating the system currently in place to make the filing process more efficient and consistent on a statewide level.

B2: Strategy - Increase the number of child support orders that comply with state child support guidelines

Target #1: Take action in 90% of child support modification files within 30 days of receipt of file from CSSD.

Status #1: Based on the information we have, the % of modification files in which action was taken within 30 days decreased by 1%.

Modification Files Opened

Year	YTD Total
2009	514
2008	685
2007	691
2006	817

Analysis of results and challenges: Complete data is not readily available.

B3: Strategy - Improve administrative decision-making at the administrative review and formal hearing level

Target #1: Complete one training session per year for establishment and modification personnel at the Child Service's Support Division (CSSD).

Status #1: While formal training sessions weren't conducted for establishment and modification personnel at the Child Services Support Division in FY 2009, each assistant attorney general provided informal training to caseworkers and supervisors on specific issues that arose in individual cases.

Year	YTD Total	Target	Variance
2009	0	1	-1
2008	0	1	-1
2007	0	1	-1
2006	1	1	0

Analysis of results and challenges: No formal training sessions were conducted for establishment and modification personnel at the Child Services Support Division in FY 2009, however, each assistant attorney general provided informal training to caseworkers and supervisors on specific issues that arose in individual cases.

Target #2: Provide monthly report to the Child Support Services Division summarizing Supreme Court decisions relating to child support and recommending changes to CSSD regulations, policies, or procedures as a result of those decisions.

Status #2: In FY 2009 the Collections and Support Section provided the Department of Revenue's Child Services Support Division (CSSD) with 5 reports summarizing Supreme Court decisions related to child support and recommending changes to CSSD regulations, policies, or procedures as a result of those decisions.

Supreme Court Summary Reports Prepared for CSSD

Year	YTD Total
2009	5
2008	7
2007	7
2006	5

Methodology: Supreme Court rulings relevant to child support and CSSD are not released every month therefore a summary report may not be needed. We have issued summary reports in all months where relevant rulings were released.

Analysis of results and challenges: In FY 2009, 5 reports summarizing Supreme Court decisions related to child support and recommending changes to Department of Revenue's Child Services Support Division (CSSD) regulations, policies, or procedures as a result of those decisions were provided to the CSSD.

B4: Strategy - Increase the use of civil enforcement remedies in cases where routine administrative collection actions have failed

Target #1: Increase the number of cases accepted for complex civil enforcement action including civil contempt, fraudulent transfers, piercing the corporate veil, seek work orders, or license enforcement by 2% per year.

Status #1: Child Support Services Division referred 15 cases to the Department for review for complex civil enforcement remedies in FY 2009. In FY 2008, 11 cases were referred.

Increase CSSD Complex Civil Enforcement Cases

Fiscal Year	YTD Total
FY 2009	15
FY 2008	11
FY 2007	14
FY 2006	27
FY 2005	9

Analysis of results and challenges: In FY 2009, 15 cases were referred to the Department of Law for review for complex civil enforcement remedies in by the Department of Revenue's Child Support Services Division. In FY 2008, 11 cases were referred.

B5: Strategy - Increase in number of cases in which appropriate judicial findings are contained in the initial court order and in permanency orders in Child-in-Need of Aid cases

Target #1: 100% of deficient court orders are remedied within 30 days of notification by the Department of Health and Social Services (DHSS).

Status #1: The Section Chief keeps track of deficient court orders and believes that 100% of deficient court orders were remedied within 30 days of notification by the Department of Health and Social Services.

Analysis of results and challenges: The Section Chief keeps track of deficient court orders and believes that 100% of deficient court orders were remedied within 30 days of notification by the Department of Health and Social Services.

C: Result - Enhance the Protection of Victims of Crimes and Delinquent Acts

Target #1: Reduction in complaints from victims of crimes and delinquent acts submitted to the Office of Victims Rights, the Attorney General's Office, the State Ombudsman, or the Office of the Governor.

Status #1: In FY 2009, the Department had 1 complaint forwarded from the Office of Victims Rights, the Attorney General's Office, the State Ombudsman, or the Office of the Governor. The complaint was resolved by explaining procedure and providing additional case related information.

Complaints from Victims

Year	YTD Total
2009	1
2008	2
2007	1
2006	1

Analysis of results and challenges: The one complaint in FY 2009 was resolved by explaining procedure and providing additional case related information.

C1: Strategy - Increase collection of restitution on behalf of victims

Target #1: Increase the overall restitution collections by 5% each year.

Status #1: In FY 2009, the amount (\$2.7 million) in total restitution collections increased over 35% compared to the amount collected in FY 2008.

Increase in Collections

Fiscal Year	YTD Total	Target	Variance
FY 2009	2,734,043	2,134,151	35% Increase
FY 2008	2,032,525	2,363,767	4.9% Decrease
FY 2007	2,251,207	647,207	41.6% Increase
FY 2006	1,554,055	1,604,000	1.5% Decrease
FY 2005	1,580,055	Baseline	0

Methodology: Variances from year to year are primarily the result of the size of the Permanent Fund Dividend (PFD) because the PFD is the primary source of funds.

Analysis of results and challenges: In FY 2009, the amount (\$2.7 million) in total restitution collections increased over 35% compared to the amount collected in FY 2008 and has increased 73% in the last five years.

Target #2: Increase by 10% the use of civil enforcement remedies in cases where permanent fund dividend attachments have failed.

Status #2: Data tracking the use of civil enforcement remedies in cases where permanent fund dividend attachments have failed is not yet available but the Department anticipates its new case management system, ProLaw, will provide this information when fully implemented, by the end of CY2011.

Analysis of results and challenges: Data tracking the use of civil enforcement remedies in cases where permanent fund dividend attachments have failed is not currently tracked or readily available but the Department anticipates its new case management system, ProLaw, will provide this information when fully implemented.

D: Result - Enhance Consumer Protection in Alaska

Target #1: Increase effective consumer protection enforcement through successful resolution of consumer complaints, enforcement actions and consumer education.

Status #1: The consumer protection unit met its target strategies for enhancing consumer protection for FY 2009.

Year	Education Events	Invest/Prosecution	Antitrust Matters	Complaint Resolutions	YTD Total
2009	4	89	3	376	472
2008	7	47	8	232	294
2007	4	67	8	209	288
2006	4	37	10	203	254

Analysis of results and challenges: Consumer protection was enhanced in FY 2009 by increasing successful resolution of consumer complaints, enforcement actions and consumer education.

D1: Strategy - Increase consumer education

Target #1: Complete at least 4 consumer education initiatives per year.

Status #1: 4 consumer education initiatives were completed in FY 2009.

Consumer Education Initiatives

Fiscal Year	YTD Total	Target	Variance
FY 2009	4	4	0
FY 2008	7	4	+3
FY 2007	4	4	0
FY 2006	4	4	0

Analysis of results and challenges: In FY 2009, the Consumer Protection (CP) unit began an initiative to revise the CP website in several respects. The goals of the initiative are to: a) provide information such as consumer alerts and educational materials to the public in an easily accessible and understandable manner, and b) to make more accessible information and registration forms needed by charitable organizations, paid solicitors, telemarketers, and sellers of business opportunities. To date, various forms (the consumer protection form, charitable organization and paid solicitor forms) have been made interactive, and changes to the appearance and content of the website have been suggested with implementation expected in FY 2010.

In addition to the website initiative, the CP unit also completed the following consumer education initiatives in FY 2009:

1. Created, produced, and widely distributed a travel brochure entitled "Alaska Travel Tips" designed to provide information to visitors to ensure that their travel and tours are booked with reputable companies;
2. Revised and updated the Landlord Tenant Booklet; and
3. Released a comprehensive public report regarding the department's gasoline pricing investigation that was aimed at educating consumers on "price gouging" and antitrust issues.

D2: Strategy - Develop stronger consumer protection laws and regulations

Target #1: Propose two consumer protection or antitrust legislative initiatives or regulations per year.

Status #1: The Consumer Protection (CP) unit proposed 5 legislative initiatives relating to consumer protection and antitrust matters.

Stronger Consumer Laws

Fiscal Year	YTD Total	Target	Variance
FY 2009	5	2	+3
FY 2008	2	2	0
FY 2007	2	2	0
FY 2006	2	2	0

Analysis of results and challenges: During FY 2009, the CP Section unit proposed 5 legislative initiatives related to consumer protection. The unit also proposed a new statute to the state antitrust law that would add a civil penalty provision. The CP Section unit also assisted with the "Toy Lighter" legislation proposed by the State Fire Marshall's Office, worked closely with the Division of Banking and Securities on amendments to the Mortgage Lender Act, worked closely with the legislature on the Recreational and Marine Products Act, which regulates the relationship between sellers of ATV and boats and includes a lemon law for the such products, and worked on amendments to SB 151 involving solicitations for veteran's organizations.

D3: Strategy - Effective enforcement

Target #1: 5% increase in investigations and prosecutions.

Status #1: The number of consumer protection investigations and prosecutions increased 41% in FY 2009 over the prior fiscal year, resulting in civil penalties, attorney's fees and costs in the amount of \$2.3 million.

Effective Enforcement

Year	Investigations	Prosecutions	YTD Total	Target
2009	59	30	89	27
2008	37	10	47	40
2007	39	28	67	40
2006	25	12	37	38
2005	26	10	36	Baseline

Analysis of results and challenges: The Consumer Protection (CP) unit was able to substantially increase the number of investigations and prosecutions in FY 2009. This increase may be attributed in part to more efficient use of attorney time and to capturing additional litigation assistant time to assist in CP investigation and enforcement.

D4: Strategy - Effective antitrust enforcement

Target #1: Participate in multistate antitrust matters and investigate local matters implicating antitrust issues.

Status #1: In FY 2009, the state investigated 3 local matters involving antitrust issues.

Antitrust Cases Joined or Investigated

Year	YTD Total
2009	3
2008	8
2007	8
2006	10

Analysis of results and challenges: The Consumer Protection (CP) unit conducted a retail gasoline pricing investigation, which involved substantial attorney time and the services of an outside expert. On the local level, the CP unit investigated the merger of two local flying services and reviewed potential antitrust issues related to the natural gas pipeline.

D5: Strategy - Effective implementation of registration laws

Target #1: 100% of annual registration applications processed within one year.

Status #1: In FY 2009, all charitable organization, paid solicitor, telephonic solicitation and business opportunity registrations were reviewed in a timely matter.

Implementation of Registration Laws

Fiscal Year	YTD Total	Target	Variance
FY 2009	100%	100%	0
FY 2008	100%	100%	0
FY 2007	100%	100%	0
FY 2006	100%	100%	0

Methodology:

Analysis of results and challenges: The CP unit registered 2,028 charitable organizations and 34 paid solicitors. The unit also reviewed approximately 20 telephonic solicitor applications, 7 of which were approved. Two sellers of business opportunities submitted applications in FY 2009; one was approved and one is pending.

D6: Strategy - Effective consumer complaint resolution

Target #1: Increase % of consumer complaints resolved through the informal complaint process.

Status #1: There was a substantial increase in the number of complaints received and a substantial increase in the number resolved through the informal complaint process.

Consumer Complaint Resolution

Fiscal Year	Complaints Received	Resolved	% Resolved
FY 2009	507	376	74.1%
FY 2008	411	232	56.4%
FY 2007	341	209	61.2%
FY 2006	353	203	57.5%
FY 2005	369	91	24.6%

Analysis of results and challenges: The Consumer Protection (CP) unit continues to see a notable increase in the number of consumer complaints received. The unit is averaging 40 to 50 complaints a month. This increased volume is making it more difficult to move complaints through the informal mediation process because of limited staff. However, during FY 2009, the unit was able to capture additional staff time in the section to assist in processing and resolving the increased volume of complaints.

E: Result - Improve Regulatory Advocacy On Behalf Of The Public

Target #1: 70% success rate in representing the public interest before the Regulatory Commission of Alaska (RCA).

Status #1: The Department has experienced an 86% success rate in representing the public interest before the RCA. In FY 2009, the approximate value to ratepayers of quantifiable instances of advocacy by the Public advocate is \$4.0 million.

Improve Regulatory Advocacy

Fiscal Year	YTD Total	Target	Variance
FY 2009	86%	70%	16%
FY 2008	82%	70%	12%
FY 2007	82%	70%	12%
FY 2006	88%	70%	18%

Methodology: In FY 2009 there were 14 dockets with final decisions, 2 in which the Regulatory Affairs and Public Advocacy (RAPA) advocacy position was not substantially adopted by the RCA. (The tally of 12 successful proceedings includes one matter (U-08-58) in which the adjudicated outcome was not implemented by the utility.) In FY 2008 there were 17 dockets with final decisions, 3 in which the RAPA position was not adopted.

Analysis of results and challenges: The Department has experienced an 86% success rate in representing the public interest before the RCA. In FY 2009, the approximate value to ratepayers of quantifiable instances of advocacy by the Public advocate is \$4.0 million.

E1: Strategy - Enhance operational expertise

Target #1: Provide one training opportunity a year for Assistant Attorneys General (AAG) and Regulatory Affairs and Public Advocacy (RAPA) analyst staff.

Status #1: In FY 2009, the training target was achieved for Assistant Attorneys General and Regulatory Affairs and Public Advocacy analyst staff.

Analysis of results and challenges: In FY 2009, the training target was achieved for Assistant Attorneys General and Regulatory Affairs and Public Advocacy analyst staff.

E2: Strategy - Enhance public awareness of public advocacy role

Target #1: Publish Public Advocate Advisories for cases significantly affecting the public interest.

Status #1: Two Advisories were issued in FY 2009 by Regulatory Affairs and Public Advocacy (RAPA), successfully meeting the target.

Analysis of results and challenges: Two Advisories were issued in FY 2009 by Regulatory Affairs and Public Advocacy (RAPA), successfully meeting the target. Three advisories were issued in FY 2008.

F: Result - Enhance State Revenue From Mineral Resources

Target #1: Protect the State's rights when infringed upon by the Federal Government.

Status #1: The Department provided legal advice and engaged in litigation on behalf of the State against the federal government as it relates to the Endangered Species Act matters that affect development of mineral resources.

Analysis of results and challenges: The Department provided legal advice and engaged in litigation on behalf of the State against the federal government as it relates to the Endangered Species Act matters that affect development of mineral resources.

Target #2: Increase state revenue from mineral resource development by 20% (adjusted for changes in oil and gas prices) over current baseline projections, over the next ten years.

Status #2: The Department successfully defended the permits for the operation of the Kensington Mine before the U.S. Supreme Court, preserving hundreds of jobs.

Analysis of results and challenges: The Department successfully defended the permits for the operation of the Kensington Mine before the U.S. Supreme Court, preserving hundreds of jobs.

F1: Strategy - Participate in lawsuits that may restrict the use of Alaska resources

Target #1: Increased % of lawsuits the State participated in advocating the State's interest in mineral development permitting decisions.

Status #1: The State participated in 100% of cases involving mineral development and exploration permitting decisions in 2009, compared to participation only on the Kensington Mine and Cook Inlet coal prospect cases in the previous year.

Analysis of results and challenges: The State participated in 100% of cases involving mineral development and exploration permitting decisions in 2009, compared to participation only on the Kensington Mine and Cook Inlet coal prospect cases in the previous year.

F2: Strategy - Maximize Tax and Royalty Claims

Target #1: Increased revenues by pursuing collection of tax and royalty obligations to the state.

Status #1: Settlements and awards from cases related to oil and gas taxes and royalties generated \$530.0 million for the State.

Analysis of results and challenges: \$530.0 million in Settlements and awards from cases related to oil and gas taxes and royalties were generated for the State.

F3: Strategy - Assist state agencies in achieving a project to market Alaska's North Slope Gas

Target #1: Within six years have a transportation system completed to carry North Slope gas to market.

Status #1: The Alaska Gasline Inducement Act (AGIA) license received approval for issuance to TransCanada Alaska. The TransCanada project schedule anticipates conducting an open season by 2010 and shipping initial gas in the pipeline by 2017. A competing project, the Denali project, appears to be gearing up for permit approvals. The Denali project anticipates conducting an open season in 2010 and shipping initial gas by 2017.

Analysis of results and challenges: The Alaska Gasline Inducement Act (AGIA) license received approval for issuance to TransCanada Alaska. The TransCanada project schedule anticipates conducting an open season by 2010 and shipping initial gas in the pipeline by 2017. A competing project, the Denali project, appears to be gearing up for permit approvals. The Denali project anticipates conducting an open season in 2010 and shipping initial gas by 2017.

F4: Strategy - Defend non-discriminatory inter-state TAPS tariff

Target #1: Achieve non-discriminatory TransAlaska Pipeline System (TAPS) tariff.

Status #1: The State prevailed at the Federal Energy Regulatory Commission hearing on the TAPS tariff. The case

is presently on appeal before the U.S. Court of Appeals for the D.C. Circuit.

Analysis of results and challenges: The State prevailed at the Federal Energy Regulatory Commission hearing on the TAPS tariff. The case is presently on appeal before the U.S. Court of Appeals for the D.C. Circuit.

Criminal Division Results Delivery Unit

Mission

The mission of the Criminal Division is to assure safe and healthy communities by prosecuting and convicting criminal offenders in urban and rural Alaska, by upholding those convictions on appeal, and by providing legal services that support the efforts of criminal justice agencies.

Core Services

- Protecting the Safety and Physical and Financial Well-being of Alaskans.
- Fostering the Conditions for Economic Opportunity and Responsible Development and Use of Our Natural Resources.
- Protecting the Fiscal Integrity of the State.
- Promoting and Defending Good Governance.

End Result	Strategies to Achieve End Result
<p>A: Improve Public Safety Against Serious Assault</p> <p><u>Target #1:</u> Reduce the number of violent felony crimes reported in Alaska by 5%.</p> <p><u>Status #1:</u> In 2008, 173 fewer violent felony crimes were reported in 2008, down 6 1/2%. In 2007 the number of violent felony crimes increased 196.</p>	<p>A1: Improving Public Safety & Enhancing the Protection of Victims of Crimes - Increase the prosecution of violent felonies</p> <p><u>Target #1:</u> 50% of violent felony crimes accepted for prosecution that the state prevailed at final resolution.</p> <p><u>Status #1:</u> In 2008, the State prevailed on 69% of crimes accepted for prosecution and exceeds our target however, the percentage continues to trend downward. In 2004 that percentage was 85%, 2005 84%, 2006 83% and 2007 78%.</p> <p><u>Target #2:</u> 25% of violent felony crimes accepted for prosecution are resolved with a felony conviction that has not been reduced to a lower level felony or dismissed.</p> <p><u>Status #2:</u> 11% of violent felony crimes accepted for prosecution were resolved with a conviction that was not reduced to a lower level felony, remaining unchanged from the previous year.</p> <p>A2: Improving Public Safety and Enhancing the Protection of Victims of Crimes - Increase the prosecution of misdemeanor domestic violence (DV) assaults</p> <p><u>Target #1:</u> 70% of misdemeanor domestic violence assaults accepted for prosecution are convicted of a class A misdemeanor, rather than a lesser offense or dismissal.</p> <p><u>Status #1:</u> 53% of misdemeanor domestic violence assaults accepted for prosecution resulted in a conviction of a class A misdemeanor, continuing the downward trend of the last 6 years.</p>
End Result	Strategies to Achieve End Result

<p>B: Enhance the Welfare of Children</p> <p><u>Target #1:</u> To reduce the number of cases of sexual abuse of a minor referred to our office.</p> <p><u>Status #1:</u> Between FY2005 and FY2008, there has been a 19% reduction in the number of cases referred to the Department.</p>	<p>B1: Enhancing the Welfare of Children - Increase the prosecution of crimes involving sexual abuse of children</p> <p><u>Target #1:</u> 75% of crimes of sexual abuse of children accepted for felony prosecution that are resolved with a felony conviction (rather than a misdemeanor conviction or dismissal).</p> <p><u>Status #1:</u> 43% of crimes of sexual abuse of children were resolved with a felony conviction, as compared to 41% the previous year.</p> <p><u>Target #2:</u> 40% of crimes of sexual abuse of children accepted for felony prosecution are resolved with a felony conviction that has not been reduced to a lower level felony or dismissed.</p> <p><u>Status #2:</u> In 2008, 18% of the crimes of sexual abuse of children accepted for felony prosecution were resolved with a felony conviction, but many are still pending.</p>
End Result	Strategies to Achieve End Result
<p>C: Enhance the Protection of Victims of Crimes and Delinquent Acts</p> <p><u>Target #1:</u> Reduce the number of substantiated complaints from victims of crimes and delinquent acts submitted to the Criminal Division.</p> <p><u>Status #1:</u> In FY2008, the Department received and responded to 15 complaints.</p>	<p>C1: Enhancing the Protection of Victims of Crimes - Increase the prosecution of property felonies</p> <p><u>Target #1:</u> 40% of property felony crimes accepted for prosecution are resolved with a felony conviction rather than a misdemeanor conviction or dismissal.</p> <p><u>Status #1:</u> 31% of property felony crimes accepted for prosecution were resolved with a felony conviction. This rate is consistent with the previous two years.</p> <p><u>Target #2:</u> 35% of property felony crimes accepted for prosecution that are resolved with a felony conviction have not been reduced or dismissed.</p> <p><u>Status #2:</u> In 2007, 26% of property felony crimes accepted for prosecution were resolved with a felony conviction that was not reduced.</p> <p>C2: Enhancing the Protection of Victims of Crimes - Increase and improve responsiveness to victims</p> <p><u>Target #1:</u> Increase training on general victim-related issues, such as victim sensitivity, so that all paralegal assistants who have regular direct contact with victims attend one multi-day training course each year.</p> <p><u>Status #1:</u> The number of paralegal assistants who have been provided yearly training in general victim-related issues grew to 33 in FY 2009, an increase of 3 over the prior year and continuing a positive trend.</p> <p><u>Target #2:</u> Increase the training in specialized victim-related issues, such as domestic violence or sexual assault prosecution, so that all paralegal assistants who have regular direct contact with victims attend one multi-day training course every other year.</p> <p><u>Status #2:</u> Twelve paralegal assistants with regular direct contact with victims were provided biannual</p>

	training in specialized victim-related issues. In addition, fifteen attorneys attended biannual training for victims in a specialized area.
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Performance Detail

A: Result - Improve Public Safety Against Serious Assault

Target #1: Reduce the number of violent felony crimes reported in Alaska by 5%.

Status #1: In 2008, 173 fewer violent felony crimes were reported in 2008, down 6 1/2%. In 2007 the number of violent felony crimes increased 196.

Year	YTD Total	Target
2008	2,472	2,513
2007	2,645	2,332
2006	2,449	0

Analysis of results and challenges: In 2008, 173 fewer violent felony crimes were reported in 2008, down 6 1/2%. In 2007 the number of violent felony crimes increased 196.

A1: Strategy - Improving Public Safety & Enhancing the Protection of Victims of Crimes - Increase the prosecution of violent felonies

Target #1: 50% of violent felony crimes accepted for prosecution that the state prevailed at final resolution.

Status #1: In 2008, the State prevailed on 69% of crimes accepted for prosecution and exceeds our target however, the percentage continues to trend downward. In 2004 that percentage was 85%, 2005 84%, 2006 83% and 2007 78%.

Violent Felony Convictions

Year	YTD Total	Target	Variance
2008	68%	50%	18%
2007	78%	50%	28%
2006	83%	50%	33%
2005	84%	50%	34%

Methodology: Information is by calendar year.

Analysis of results and challenges: At the end of each calendar year there are cases that are still pending. For the calendar years 2005, 2006, 2007 and 2008, the percent of cases that were still pending were 15.8%, 17.5%, 19.1% and 14.4%, respectively.

Target #2: 25% of violent felony crimes accepted for prosecution are resolved with a felony conviction that has not been reduced to a lower level felony or dismissed.

Status #2: 11% of violent felony crimes accepted for prosecution were resolved with a conviction that was not reduced to a lower level felony, remaining unchanged from the previous year.

Unreduced Felony Convictions

Year	YTD Total	Target	Variance
2008	11%	25%	14%
2007	11%	25%	14%
2006	14%	25%	11%
2005	15%	25%	10%

Methodology: Information is by calendar year. Statistics are based on the date the case was received in the prosecutor's office, and the most recent data from which these calculations are meaningful is for cases received in calendar year 2008.

Analysis of results and challenges: At the end of each calendar year there are cases that are still pending. For the calendar years 2005, 2006, 2007 and 2008, the percent of cases that were still pending were 15.8%, 17.5%, 19.1% and 6.4%, respectively.

A2: Strategy - Improving Public Safety and Enhancing the Protection of Victims of Crimes - Increase the prosecution of misdemeanor domestic violence (DV) assaults

Target #1: 70% of misdemeanor domestic violence assaults accepted for prosecution are convicted of a class A misdemeanor, rather than a lesser offense or dismissal.

Status #1: 53% of misdemeanor domestic violence assaults accepted for prosecution resulted in a conviction of a class A misdemeanor, continuing the downward trend of the last 6 years.

Year	YTD Total	Target	Variance
2008	51%	70%	19%
2007	53%	70%	17%
2006	55%	70%	15%
2005	56%	70%	14%

Methodology: Information is by calendar year. Statistics are based on the date the case was received in the prosecutor's office, and the most recent data from which these calculations are meaningful is for cases received in calendar year 2008.

Analysis of results and challenges: At the end of both 2006 and 2007, 4% of cases were still pending and at the end of 2008, 3% were still pending.

B: Result - Enhance the Welfare of Children

Target #1: To reduce the number of cases of sexual abuse of a minor referred to our office.

Status #1: Between FY2005 and FY2008, there has been a 19% reduction in the number of cases referred to the Department.

Cases of Sexual Abuse of a Minor Referred to our Office

Fiscal Year	YTD Total
FY 2008	243 -8.3%
FY 2007	265 +2.32%
FY 2006	259 -13.67%
FY 2005	300

Analysis of results and challenges: Data is not readily available to monitor the change in number of reports of child sexual abuse.

B1: Strategy - Enhancing the Welfare of Children - Increase the prosecution of crimes involving sexual abuse of children

Target #1: 75% of crimes of sexual abuse of children accepted for felony prosecution that are resolved with a felony conviction (rather than a misdemeanor conviction or dismissal).

Status #1: 43% of crimes of sexual abuse of children were resolved with a felony conviction, as compared to 41% the previous year.

Percent of Child Sexual Abuse Cases Resolved With a Felony Conviction

Year	YTD Total	Target	Variance
2008	43%	75%	32%
2007	41%	75%	34%
2006	45%	75%	30%
2005	49%	75%	26%

Methodology: Information is by calendar year. Statistics are based on the date the case was received in the prosecutor's office, and the most recent data from which these calculations are meaningful is for cases received in calendar year 2008.

Analysis of results and challenges: The Department of Law strives to achieve felony convictions in cases involving sexual abuse of children, which can result in sentences ranging up to 99 years. The most complex and diverse cases may take many months and will not have been resolved at the time of this report. It is also likely that those cases referred in the final quarter will not have been resolved, impacting annual data. At the end of 2006, 24% of cases were still pending. At the end of 2007, 36% of cases were still pending. At the end of 2008, 37% of cases were still pending.

Target #2: 40% of crimes of sexual abuse of children accepted for felony prosecution are resolved with a felony conviction that has not been reduced to a lower level felony or dismissed.

Status #2: In 2008, 18% of the crimes of sexual abuse of children accepted for felony prosecution were resolved with a felony conviction, but many are still pending.

Child Sexual Abuse Felony Conviction (Unreduced)

Year	YTD Total	Target	Variance
2008	18%	40%	22%
2007	14%	40%	26%
2006	17%	40%	27%
2005	15%	40%	25%

Methodology: Information is by calendar year. Statistics are based on the date the case was received in the prosecutor's office, and the most recent data from which these calculations are meaningful is for cases received in calendar year 2008.

Analysis of results and challenges: At the end of 2008, 37% of cases were still pending.

C: Result - Enhance the Protection of Victims of Crimes and Delinquent Acts

Target #1: Reduce the number of substantiated complaints from victims of crimes and delinquent acts submitted to the Criminal Division.

Status #1: In FY2008, the Department received and responded to 15 complaints.

Analysis of results and challenges: Data is not readily available to monitor the number of substantiated complaints from victims of crimes and delinquent acts submitted to the Office of Victims Rights, the Attorney General's Office, the Commissioner of Health and Social Services, or the Office of the Governor.

C1: Strategy - Enhancing the Protection of Victims of Crimes - Increase the prosecution of property felonies

Target #1: 40% of property felony crimes accepted for prosecution are resolved with a felony conviction rather than a misdemeanor conviction or dismissal.

Status #1: 31% of property felony crimes accepted for prosecution were resolved with a felony conviction. This rate is consistent with the previous two years.

Felony Property Crimes

Year	YTD Total	Target	Variance
2008	31%	40%	10%
2007	31%	40%	9%
2006	30%	40%	10%
2005	31%	40%	9%

Methodology: Information is by calendar year. Statistics are based on the date the case was received in the prosecutor's office, and the most recent data from which these calculations are meaningful is for cases received in calendar year 2008.

Analysis of results and challenges: 31% of property felony crimes accepted for prosecution were resolved with a felony conviction. This rate is consistent with the previous two years.

Target #2: 35% of property felony crimes accepted for prosecution that are resolved with a felony conviction have not been reduced or dismissed.

Status #2: In 2007, 26% of property felony crimes accepted for prosecution were resolved with a felony conviction that was not reduced.

Year	YTD Total	Target	Variance
2008	25%	35%	10%
2007	26%	35%	9%
2006	25%	35%	10%

Methodology: Information is by calendar year. Statistics are based on the date the case was received in the prosecutor's office, and the most recent data from which these calculations are meaningful is for cases received in calendar year 2008.

C2: Strategy - Enhancing the Protection of Victims of Crimes - Increase and improve responsiveness to victims

Target #1: Increase training on general victim-related issues, such as victim sensitivity, so that all paralegal assistants who have regular direct contact with victims attend one multi-day training course each year.

Status #1: The number of paralegal assistants who have been provided yearly training in general victim-related issues grew to 33 in FY 2009, an increase of 3 over the prior year and continuing a positive trend.

Paralegal Training in General Victim Issues

Year	YTD Total
2008	33
2007	30
2006	26
2005	23
2004	14

Analysis of results and challenges: The number of paralegal assistants who have been provided yearly training in general victim-related issues grew to 33 in FY 2009, an increase of 10% over the prior year and 43% since 2005.

Target #2: Increase the training in specialized victim-related issues, such as domestic violence or sexual assault prosecution, so that all paralegal assistants who have regular direct contact with victims attend one multi-day training course every other year.

Status #2: Twelve paralegal assistants with regular direct contact with victims were provided biannual training in specialized victim-related issues. In addition, fifteen attorneys attended biannual training for victims in a specialized area.

Paralegal Assistants Specialized Yearly Training

Year	YTD Total
2008	12
2007	10
2006	13
2005	8

Methodology: In 2008, victim witness paralegals attended The 2008 Paralegal Conference which included topics on general victim related issues.

Analysis of results and challenges: Fifteen attorneys attended biannual training for victims in a specialized area and twelve paralegal assistants having direct contact with victims were provided biannual training in specialized victim-related issues.